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ABSTRACT

The document reports the Wisconsin component of Project IEP (individualized education program), a project designed to identify and clarify perceptions related to roles in the IEP process as mandated by P.L. 94-142, the Education for All Handicapped Children Act. It is explained that under Project IEP approximately 200 persons (including state and local education administrators, regular and special teachers, parents of handicapped children and the children themselves, support personnel, and advocacy groups) were given open-ended interviews. Findings and suggestions are reported for the following areas: parent roles (reasons for and barriers to parental involvement); teacher and support staff roles and responsibilities (improvements in the child's program, increased planning demands, and effects on morale and interstaff relationships); administrator's role (system improvements, coordinating functions, and morale); and federal, state, and local relationships (respect for state and local autonomy and implementation constraints). Listed among IEP Panel recommendations are that standardization of procedures should be minimal, that inservice education in local school districts for special and regular staff on assessment skill training should be conducted, and that the Bureau of Education for the Handicapped rules should assure district immunity from legal actions. (SBH)

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Project IEP

WISCONSIN STATE REPORT

EC 120 499

Project IEP was a joint effort of the Bureau of Education for the Handicapped, U.S. Office of Education and Nero and Associates, Inc., in cooperation with the Special Services Section, Wisconsin Office of the Superintendent of Public Instruction.

PROJECT IEP: WISCONSIN STATE REPORT

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PREFACE

In November, 1975, the U.S. Congress passed Public Law 94-142, the Education for All Handicapped Children Act. The central focus of this legislation is the right of each handicapped child to a free, appropriate public education. A key mechanism for assuring such an education is the provision of an individualized education program, or IEP. The IEP is to contain the following components:

- a statement of the child's current level of performance
- a statement of annual goals and short-term objectives
- a statement of intended services
- a statement of extent of participation in regular education
- a statement of dates of initiation and termination of services
- a statement of method, criteria, and schedule for evaluation of child's progress based on the prescribed goals and objectives

The IEP is to be developed in a meeting attended by a local school administrator, the child's teacher, the child's parents, and, when appropriate, the child.

The Bureau of Education for the Handicapped of the U.S. Office of Education is the federal administrative unit charged with facilitating the implementation of this law. It became apparent to Bureau staff members that different people across the nation who were responsible for or affected by the IEP requirement had varied perceptions of the federal mandate and their roles in the IEP process. These perceptions are important because the way people perceive their roles and the roles of others can

be expected to determine how they will implement the process and how they will communicate with others. Clarification of different perspectives was considered an important step in identifying potential barriers to implementation of the law and exploring strategies to facilitate successful implementation.

To identify and clarify perceptions related to roles in the IEP process, the Bureau of Education for the Handicapped sponsored Project IEP. The methods used in this project were specifically designed to solicit the insights and perspectives of those most directly affected by the IEP process. Four states, Alabama, New Jersey, Washington, and Wisconsin, participated in Project IEP from February to May, 1977. In each state, approximately 200 persons were interviewed using open-ended interviews conducted in respondents' homes, offices, or classrooms. Those interviewed included state and local education administrators, regular and special teachers, parents of handicapped children and the children themselves, support personnel, advocacy groups, union representatives, and others.

In May, a clarification forum was held in each state. Of the 150-200 people interviewed in each state, individuals representing diverse experiences and opinions were invited to offer their comments regarding implementation of the IEP at their respective forums. Thus, the forum provided an opportunity for these groups and individuals to share their experiences and clarify their concerns regarding implementation of IEPs within the state.

Twelve individuals whose backgrounds were similar to those of the respondents served on a panel that listened to the information presented and made recommendations about priorities and suggestions for implementing IEP requirements. These recommendations were shared with state education agency personnel and are included at the end of this report.

Comments offered at the four state clarification forums dealt with anticipated changes in the roles and relationships of individuals and organizations. Particular attention was given to anticipated new responsibilities and their potential impact on existing responsibilities as individuals and organizations begin to respond to the IEP mandate.

The report which follows presents information synthesized from the interviews and clarification forum held in the State of Wisconsin. Although it was felt that the use of an open-ended, less structured interview technique would produce more in-depth, accurate information, this technique also makes the reporting of findings in terms of percentage of respondents virtually impossible. Thus, in the pages that follow, statements referring to "many" or "most" teachers, parents, and others may be interpreted as referring to a majority of respondents in the designated group unless otherwise indicated. Some comments of particular individuals are also included to exemplify or further explore certain points mentioned often during the study. The information presented in this report may be viewed as transient, since perceptions may be expected to change with time and experience. However, the data was collected just prior to the mandated date of IEP implementation, October 1, 1977. Thus, the report should be viewed as a documentation of initial perspectives and suggestions. In the future it may serve as a reference point against which to measure changes in perceptions and changes in our efforts to provide individualized education for handicapped children.

WISCONSIN STATE REPORT

Practice Prior to Implementation of PL 94-142

In 1973 Wisconsin passed legislation (Chapter 115) to benefit children with exceptional educational needs (EEN). Although the law is similar to PL 94-142 in that it mandates a group planning process, no provision was made for an IEP, standard recording, or administrative procedures for the group process until administrative rules were issued in 1976 to bring the law into compliance with PL 94-142. Implementation of Chapter 115 varied from district to district, but often followed the course described below.

Initial screening of all children for potential handicaps was usually the responsibility of the special education teacher. If a child had a suspected disability, parent approval had to be obtained before a multi-disciplinary team (M-team) of two or more people could arrange for disability testing. Chapter 115 did not describe M-Team composition, so membership varied with each case. Often, psychologists coordinated a team of two to seven participants -- administrators, support personnel and special education teachers -- depending on the number and availability of the staff.

If the M-Team recommended special placement, state law again mandated that the parents be consulted on the proposed decision. The law then required, but did not define the content of, an educational plan for each child. Although the plans usually included assessment information and programming suggestions, they were not IEPs as described in PL 94-142, nor were they uniform within or among districts.

Although most districts had established multidisciplinary teams, the roles and procedures of the teams were loosely defined. Furthermore, the State Department of Education (SEA), had difficulty estimating the extent of implementation and the programmatic success of the law.

Now, with the requirement that local eductional agencies (LEAs) must submit detailed applications for funds to the SEA, the SEA will have more information about the status of local efforts to implement the law and will be able to more adequately monitor change on a state-wide basis. In conclusion, most districts* have established programs and are generally satisfied with them, but complain of major professional and financial drains involved in upgrading a special education system.

New Practice

In response to PL 94-142 and to develop an administrative structure for Chapter 115, Wisconsin's Division for Handicapped Children wrote rules for Chapter 115 which, although subject to revision, now define a three-step special education pupil planning and programming process:**

(1) The M-Team prepares a document containing goal statements which specify recommended academic and/or behavioral interventions, supportive and related services, school and parent communication, provisions for regularly scheduled consultation between special and regular staff and, when necessary, supportive staff.

(2) The Director of Special Education makes the final placement decision, prepares a statement regarding the duration of special education and the amount

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* It seems that rural and urban districts have had difficulty establishing a group planning process due to large geographic distances or large numbers of pupils.

** Administrative Rules to Chapter 115 (latest amendments were published July, 1977).

of responsibility to be assumed by special and regular education and support staff in the child's instruction, and performs systematic follow-up.

(3) With the assistance of regular teachers and support staff, the special education teacher prepares the child's individual program. The teacher must write the IEP within six weeks of placement for the newly identified child and at the beginning of the school year for the child already classified EEN. Parents, as well as the child whenever appropriate, shall be offered the opportunity for involvement.

The content of the Wisconsin IEP parallels PL 94-142's IEP; both contain a statement of the child's present level of achievement and a statement of annual long- and short-term goals. As mentioned previously, most districts had already established multidisciplinary teams with roles and procedures loosely defined. However, the documentation which will result from the administrative rules is a new requirement that could affect Wisconsin's educational system in two important ways:

- adding the activities of monitoring and subsequent documentation to the existing, informal system; and
- shifting or redefining responsibilities and roles.

The bulk of information collected during Project IEP in Wisconsin reflects an interest in these two points.* The information was gathered from November, 1976 to May, 1977 in interviews with over 100 people

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* Responses to questions about the IEP centered on the IEP process described in Chapter 115 rules more often than PL 94-142's IEP component because those interviewed felt they would be directly responsible to comply with Chapter 115 rules.

from the state educational agencies, advocacy groups, the legislature, and eight local districts (Greendale, Green Bay, LaCrosse (CESA #11), Madison, Manitowoc, Rhinelander, Stevens Point, and Stoughton).

Representatives from all eight districts as well as the state agencies and public interest groups spoke on the impact of the IEP at the Wisconsin Clarification Forum sponsored by this project and held in Madison on May 25 and 26, 1977. Their comments, interview report data, and Forum Panel Recommendations form the basis of this report, which explores the roles and relationships of parents, teachers, administrators, and federal, state, and local education agencies.

Each of the sections of this report includes a description of practice prior to the implementation of PL 94-142; a capsule statement of the principal reactions to the IEP requirements; a perspective section amplifying the capsule statement, and a summary section which includes best practice recommendations. At the end of this report is a summary of recommendations made by the Clarification Forum Panel.

Parents: Changing Roles and Relationships

Comments from respondents to this study indicate that parental involvement in the IEP process may be one of the most sensitive issues in Wisconsin. Parents played a large role in the passage of Wisconsin's Chapter 115, which requires parental approval of both M-Team assessment and special placement. Yet procedures for obtaining parental approval still range from a signature on an M-Team plan to active participation in placement decisions. Many Wisconsin teachers do encourage frequent

parental involvement in instructional decisions through letters, phone calls, and even notes the children carry home.

Although Chapter 115 rules were written to bring Wisconsin's special education programs into compliance with PL 94-142, they do not clarify how parents are to participate in the individual planning conferences, stating only that parents "shall be offered the opportunity for involvement"* in the development of the IEP. Nevertheless, Wisconsin parents and educators generally believe the new provisions will have some effect on the degree of parental participation, although their perceptions vary on whether the effect will be a major one and whether it will be positive or negative.

Summary of Reactions to the IEP Requirements of PL 94-142

Reasons for Active Parental Involvement

- The IEP component of PL 94-142 and Chapter 115 rules will be the first written record parents have of their child's short-term objectives and will enable parents to be more knowledgeable and realistic about their child's ability.
- The written IEP will be a comprehensive document for structuring discussion between parents and educators.
- The written IEP will allow parents to be better prepared to actively participate in and question M-Team and IEP committee decisions.
- The written IEP will be used by parents to monitor teachers' implementation of their child's program.
- The written IEP will increase parental ability to reinforce desirable learning patterns at home.

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* Administrative rules to Chapter 115, July, 1977.

Barriers to Parental Participation

- Parents may not have the interest, time, skills or knowledge of the system to actively participate in IEP meetings.
- Local educational agencies may not involve parents in active roles; teachers may not believe parental involvement is of assistance.

Reasons for Active Parental Involvement

The written IEP. Many Wisconsin respondents are hopeful that the new written IEP process will increase the level of involvement of all parents, those in daily contact with teachers as well as those who seem indifferent. Advocacy groups have built new parent information campaigns around the much publicized PL 94-142, and are confident that some parents previously unaware of their rights have been newly informed. If not, the advocates hope that avilability of a written IEP will encourage parents to review their child's program, as well as providing information for parents who have been unsuccessfully petitioning districts for knowledge of their child's instruction.

Active parents who have been following their child's progress, either through insistence that educators include them or as a result of constant encouragement from teachers and staff, expect their role to further increase to an equal partnership between home and school.

Although most parents have signed M-Team plans since implementation of Chapter 115, many have not followed their child's daily progress and now anticipate using the IEP document to do so. Although final regulations of PL 94-142 state that the IEP is not a legally binding contract and that the teacher cannot be held liable for achieving the stated objectives, some parents said they would like to use the signed IEP document as

a legally binding contract to hold the teacher accountable for carrying out the M-Team goals in the classroom. Often, these parents had been upset by the previous inaccessibility of their children's daily programs. Regardless of the view of some parents that this accountability is a positive aspect of the IEP, it may become an inflammatory issue. Perceptions of the IEP vary greatly between parents and teachers. Many parents expect the IEP to reflect day-to-day instruction, but many teachers may not write IEPs which do so.

To avoid a confrontation between these two groups, districts may want to sponsor discussions to ensure that the two groups have similar expectations of what the IEP document represents. The Wisconsin panel suggested that the districts establish local advisory councils of parents, educators, and other community members to facilitate communication. In districts where teacher contact with parents is common, each group has discovered that they often agree upon respective roles. For example, in some districts parents and teachers generally agree that parents should have a voice in behavioral objectives but not academic ones.

Active Involvement to Improve Education. Numerous educators are optimistic that parental involvement will improve the child's education. Several teachers commented that knowledge of a child's home situation is necessary in order to establish adequate behavioral objectives, and parental monitoring and identification of small changes in a child's home behavior assists this effort. Some teachers are concerned that well intentioned parents could push their children too hard to reach the timetable for objectives, but hope that frequent evidence of the school's flexibility in this regard will help parents keep a perspective on appropriate progress.

Barriers to Active Parental Involvement

Attempts to establish active parental involvement in the IEP process may at times be hampered. For example, some parents may be intimidated by the number of professionals at meetings or may not understand the professional jargon or technical language used in IEPs. They may also be unaware of local program alternatives or their rights under state or federal legislation. Other difficulties may arise if parents are unable to take time off from work to attend conferences or live long distances from the school building and are unwilling or unable to travel to meetings, particularly if local districts choose to schedule most meetings during school hours due to teacher contracts.

Thus, no matter how much parents want to be involved, they may need training to have an active role in their child's education. Advocacy groups and local districts claim they should have funds to inform parents about:

- their rights under PL 94-142 and Chapter 115 amendments,
- due process proceedings,
- district programming alternatives,
- the district's M-Team and IEP processes, and
- knowledge and understanding of their child's exceptionality.

Since the new Chapter 115 rules do not precisely stipulate when parents should participate in IEP preparation, some parents claim districts may only allow a signature on a document or may obtain parents' comments after decisions are made and not include them in writing the short-term objectives. Many parents particularly dislike this latter circumstance; they feel teachers often give them "lip service" and do not take their comments seriously.

Another obstacle which may arise is that some parents may refuse to participate. Regardless of staff attempts to include them, some parents occasionally feel embarrassed about or unable to accept their child's exceptionality, and are unwilling or unable to share home-related information. Others do not respond to letters; teachers doubt that a mandate allowing dissemination of IEPs will change their attitude. Many educators complain of parents who delay permission for special instruction, resulting in late service delivery to the child. Still others parents expect staff to determine appropriate programs and want no more involvement than to sign the M-Team plans and IEPs.

Suggestions and Summary

One district involved in this study has developed procedures for more contact with parents who were previously disinterested. Prior to obtaining parental consent for future M-Team assessments, phone calls and informal visits to the home are made to alert the parents to upcoming meetings and avilable program alternatives. Parents then seem less intimidated at formal meetings since they are already familiar with their child's suspected disability and have met school personnel.

Several districts often have parents meet with only a few members of the M-Team at a time to prevent the parents from feeling overwhelmed by a large number of professionals. Other districts have successfully held formal meetings in the home rather than in more intimidating surroundings.

Some districts have started the process of involving parents by inviting advocacy group representatives to meetings where IEP forms are developed and asking them for comments on the appropriateness of

parental involvement in certain elements of the process. Districts have also provided parents with advocates at meetings to explain the proceedings and their implications to the parent and child.

Parents in Wisconsin are generally optimistic that the IEP will assist them in communicating with school personnel, in understanding their child's disability, and in obtaining an appropriate education for their child. In fact, parental expectations in Wisconsin are high and districts may want to respond as soon as possible to burgeoning parent interest and to develop procedures which tap parental knowledge.

Teacher and Support Staff Roles and Responsibilities

In many Wisconsin districts, teaching practice already closely parallels PL 94-142's mandate. Many teachers are preparing individualized programs for children, and although teacher involvement in M-Teams was not mandated by Chapter 115 before the administrative rules, special education teachers often sat on multidisciplinary teams. Wisconsin teachers frequently depend on suggestions and comments from both parents and support staff, but because this communication has not been mandated, it has varied between and within districts. Communication has not occurred when: (a) it was not encouraged by school tradition; (b) special education teachers traveled from school to school and were not in frequent contact with other staff members; and (c) when large numbers of people worked with a child and were seldom in contact with one another.

Because teaching practice in Wisconsin is already similar to that required by PL 94-142 and the new Chapter 115 rules, teachers view the new requirements not as a chanage in practice, but rather as a provision of structure for existing practice. Because the rules are new,

teachers are still unsure what differences exist between their current practice and the new formal requirements. Furthermore, because this will be the first time documentation of instructional practice is mandated teachers are unsure of whether the written requirements will improve an already working system or disrupt it and of whether the practice will assist instruction or just monitor teacher capability.

Most teachers feel it has taken years to achieve a balance between necessary teaching time and outside tasks. They alternately dread and anticipate Chapter 115 rules, unsure if they will strengthen or overturn the balance.

Summary of Reactions to the IEP Requirements of PL 94-142

Improvements in the Child's Program

- Preparing annual goals and short-term objectives may discourage more traditional categorization and encourage more accurate identification of a child's individual needs.
- Preparing IEPs is expected to promote long-range planning.
- The IEP document can be used to compare different programs and instructional techniques and to determine which are the most appropriate.
- It is hoped that the IEP improve interstaff communication.
- Program continuity will be maintained when a child transfers to new districts or schools.

Increased Planning Demands

- The new documentation requirements may reduce the time available for instruction.
- The new documentation of the Wisconsin process may neither improve the education provided the child, nor reflect the instruction the child receives.

Effects on Morale and Interstaff Relationships

- Some teachers and staff feel powerless as state and federal mandates redefine roles without their prior knowledge.
- Some teachers are concerned that the IEP reflects a lack of trust in their commitment to educating children.
- Some teachers are unsure whether they have the skills to prepare an IEP which will assist a child's instruction.
- Some teachers, in light of potential monitoring, have less confidence in their teaching methods.

Improvements in the Child's Program

Many teachers in Wisconsin are optimistic that some aspects of the new IEP requirements will benefit special education programming. Some teachers expect the amendments to result in standard IEPs which will be useful in daily instruction, will contain and organize all the information on a child's program, and will provide comprehensive data with which to compare programs and instructional techniques in order to determine those most effective. Furthermore, they hope that the IEP will result in more careful planning, thus making the time taken to write the document worthwhile since it would ultimately result in less time spent in preclass preparation and more time in teaching.

These teachers are not threatened by the accountability implied in written objectives. They view the IEP as a dynamic, changing process that will aid in identifying failures as well as successes, thus allowing for more accurate assessment of appropriate teaching methods.

This same group of teachers anticipates that writing the short-term objectives will improve their day-to-day instruction since they will have a record of their goals. They expect that having until six weeks after

placement to write the IEP will make them more alert to the precise differences and needs in each child's instruction. Finally, they expect the IEP to increase coordination among staff and improve communication concerning the child's program as staff become more familiar with the language used by other disciplines.*

Most teachers are also hopeful that a district-wide or state-wide standardized IEP form will prevent disruption in a child's program as the child moves from elementary to secondary school, or from district to district. Presently, teachers may have no knowledge of M-Team plans for a child assigned to their classroom, or have no record of the previous instructional program of the child. Although some respondents argue that a teacher's use of a previous IEP could result in inappropriate programming, most respondents think the transferred child will benefit.

Increased Planning Demands

Time Demands. Some of the positive comments made by teachers were tempered by concerns that writing the IEP will result in less time with children because of the following reasons:

- planning and writing annual goals and short-terms objectives will take more time than lesson plans and will require more meetings;
- teachers will have to spend large amounts of time gathering information from other staff for short-term objectives;
- if meetings are required every time short-term objectives change, parent conferences may have to be held more frequently.

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* See Forum Panel Recommendations for a further list of potential positive impacts of the IEP.

Secondary school teachers are the most pessimistic about having the time to teach. Due to the IEP requirements, additional meetings may become necessary, yet it is already difficult to induce teachers with 10 to 12 EEN students to attend or prepare for all the meetings required to adequately develop each child's program.

Some regular education teachers are certain that they will have to spend time away from nonhandicapped students to assist special education teachers. In addition, many psychologists, social workers and speech therapists are fearful that they will no longer have the time work with children with behavior problems not severe enough to be classified EEN.

Documentation Demands. Some teachers are skeptical that the IEP will improve instruction. They believe the IEP is an additional task to satisfy local monitoring requirements and as such is inappropriate for the teacher to prepare, since it will not be useful for instruction. As a result, these teachers claim they will only look at the IEP annually to re-evaluate a child's program.

Many respondents also feel that documentation will be harmful to their informal system of communication. Since Chapter 115 rules now give the special education teachers primary responsibility for preparing the IEP, they are concerned that support staff and regular education teachers who now assist the special education teacher may decide informal communication is less necessary. They may adhere to the letter of the law, and take part only in the formal communication required. Teachers and

staff are also apprehensive that local or state development of IEP documents may include rigid role definitions which will lead to less flexibility and a subsequent decline in staff rapport and communication.

Documented vs. Real Instruction. A large number of teachers assert that the IEP will not represent actual instruction because:

- teachers do not understand the language of the support staff well enough to incorporate their comments into the objectives;
- teachers may not be able to contact all staff involved with the child, so they may write objectives without their input;
- teachers may not have the time to record day-to-day objectives because they change too rapidly;
- teachers may write general, easily obtainable objectives since objectives may be used by the parent to hold the teacher liable for the child's progress, or by the administrator in granting tenure; and
- teachers may not be on the M-Team which prepares the long-term goals, so may be unable to prepare relevant short-term objectives.

Effects on Morale and Interstaff Relationships

Some teachers believe a morale problem could arise in Wisconsin. These teachers view PL 94-142 as the first federal government intervention in local programming, indicating a lack of trust in local ability and commitment to teach the handicapped child. Teachers perceive they are being held accountable for their teaching and are resentful. Their resentment arises from several perceptions voiced during this study:

- Although the intent of the law is that the IEP be a cooperative process, teachers are concerned that they will bear principal accountability for the child's progress regardless of the involvement of other staff.

- Teachers feel they have been working hard and successfully to follow the spirit of their state law, but are still being asked to document instruction.
- Regular education teachers are not required to prepare IEPs for their students.
- PL 94-142 implies that a cooperative process is the best way to ensure an appropriate education, but some teachers who feel they provide appropriate instruction in the classroom resent the law's implication that mandated involvement of other staff is necessary to ensure an appropriate education.
- Federal and state amendments were passed without enough consultation with them or prior investigation of their existing practice. As a result, many teachers and staff feel powerless as state and federal mandates redefine roles without their prior knowledge.

Another reason for a potential morale problem is that special education teachers fear PL 94-142 and Chapter 115 rules are pushing them into unfamiliar roles, either as managers who must gather data for objectives from other staff, or as administrators who must maintain the multidisciplinary process in order to obtain the information they need for reporting. Also, many regular teachers feel unprepared to teach mainstreamed children, to contribute to M-Team deliberations, and to help special education teachers carry out objectives in the regular class.

Finally, special education teachers and regular teachers believe they may not have the skills to prepare an IEP which will assist a child's instruction. Subsequently, they have less confidence in their teaching methods. Most teachers feel the IEP will require new training in educational evaluation, in long-range planning, in selection of instructional methods and appropriate materials, and in communication skills with parents. Regular teachers thought pre-service survey courses in exceptionalities would become essential if they were to effectively assist the mainstreamed child.[21]

Suggestions and Summary

Many districts believe that teachers' concerns about negative impacts of the IEP can be resolved if the purpose of the IEP is better understood. Through in-service training, districts are attempting to explain PL 94-142 and Chapter 115 rules, stressing that the IEP can facilitate educational planning but may not require a revamping of teaching skills. One district has discovered that when all the staff in a building are trained together, an additional benefit occurs: less confusion over roles and responsibilities appears and the shared training experience encourages communication in developing IEPs.*

In order to reduce the time required to write IEPs, some districts are developing single-page forms which summarize all aspects of a child's program. Other districts have developed a series of interrelated IEP forms to limit the need for frequent meetings. The forms may be used as organizers for M-Team meetings, as long-range planning tools for teachers, and as a means to define the roles of the different staff members.

Developing time-saving forms may only partially satisfy the problem. School districts may need classroom aides to assist teachers in clerical work, and more social workers and psychologists to consult with parents and assist regular teachers. They may also need to provide released time for regular teachers to assist special education teachers or a 12-month school year so teachers can work on IEPs in the summer. In light of teachers' concerns that they do not have the skills to

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* See Forum Panel Recommendations for suggestions for in-service training.

effectively implement IEPs, universities may have to consider some pre-service courses which prepare regular teachers to work with mainstreamed children, to be classroom managers, and to write behavioral objectives.

To alleviate morale problems, many districts have asked teachers to assist in developing IEP forms. Concerns about the IEP's negative effect on time and instruction or about use of the IEP as an accountability tool seem to subside in districts where teachers feel the document has instructional as well as administrative uses.*

Resolution of teacher and staff worries about the IEP may gradually evolve if local administrators are sensitive to teachers' fears, provide the direction necessary to clarify misconceptions, and develop procedures which build on appropriate existing practice.

The Administrator's Role

In Wisconsin, the local director of special education is the chief special education administrator of a single district or a multidistrict cooperative unit. The director's receptivity toward the IEP may determine its success because he or she develops the formal structure for implementing and monitoring the provisions of PL 94-142. Although most directors agree with the intent of PL 94-142, they have grave concerns about successfully implementing the legislation without diminishing the quality of education.

Under Chapter 115, directors were usually responsible for hiring special education staff, selecting M-Team members, notifying parents

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* See Forum Panel Recommendations.

of assessment and placement decisions, placing the handicapped child in the classroom, and determining special education resource, personnel, and service needs.

Changing Roles

The December, 1976 rules for Chapter 115 provide added responsibilities to the list above. All local directors are now required to:

- prepare a placement statement for each handicapped child;
- coordinate the M-Team and IEP processes; and
- maintain an IEP document on file for each exceptional child.

Reactions to the IEP Requirements of PI 94-142

System Improvements

- Some directors believe Chapter 115 rules initiate a necessary system for documenting special education programs which will benefit planning and instruction.

Coordinating Functions

- Most local directors are beginning to mesh their existing system with the additional requirements of Chapter 115 rules but are concerned that insufficient resources, experience, time, and staff skills, as well as the threat of potential liability for children's programs will hamper their task.

Morale

- Directors are unsure that the revisions in their existing systems made to bring compliance with state and federal law will improve the quality of educational services to children.

System Improvements

Several Wisconsin directors acknowledge that the IEP could upgrade their informal systems. These administrators want to use the IEP to:

- provide a structure for the monitoring necessary to satisfy state reporting requirements;
- coax teachers who are not already using individualized instruction techniques to use them;
- gather data to convince the school board of staff and resource needs;
- perform long-range planning for future services.

Coordinating Functions

On the other hand, almsot all directors question whether they have the time or personal skills to administer these new IEP-related tasks. Many directors believe their primary responsibility will be to create standardized processes for developing M-Team plans, director's placement decisions, and IEP plans in a manner that will define roles and responsibilities without diminishing staff morale or stifling creativity. Striking a balance between existing practice and new duties may be a delicate matter since the Chapter 115 rules could shift major programming responsibilities to special education teachers. Many directors feel they must incorporate this shift in the IEP process but still match responsibilities to the person best trained for the task.

In addition, directors with no prior experience in documenting their special education programs are also unclear about how to develop IEP forms which will be the most appropriate for the children's instruction, yet still respond to the state reporting requirements. A few directors are concerned about the legal dilemma of recording

and monitoring the M-Team/IEP process, yet not endangering the child's right to confidentiality.

In-Service Training. All directors are convinced they must provide comprehensive in-service training on the IEP to all teachers and staff. Many districts are already holding training sessions for special and regular education staff. Some directors believe the entire school building staff must be knowledgable about different handicapping conditions if the interdisciplinary process is to succeed or if special education is to be considered a legitimate part of the school. Since principals will often serve as the director's designee for appointing M-Team members, will meet with parents and teachers, and will evaluate teacher performance, they will serve the function of integrating special education into the school building. Thus, directors plan to target some in-service training for the principals. Some principals admit they do not consider special education a legitimate part of the school; their recalcitrance may prevent the IEP process from working smoothly.

Resource Allocation. All of the above tasks leave the directors with an enormous fiscal management dilemma. Some directors of districts whose handicapped populations have been identified and served are concerned that the priority funding system in PL 94-142 will reduce the funds they receive for excess costs.

In addition, many directors note that since Chapter 115 was passed, school boards have approved new personnel positions which have sometimes resulted in as much as a 75% budget increase for special education. The local school boards are now fearful of continued staff or funding increases because:

- funds may have to siphoned away from regular education;
- state reimbursement of special education costs is often late and less than the local board anticipated; and
- state legislators are considering changing the special funding formula and the boards are concerned that they will be left with a large number of special education staff and insufficient funds to pay them.

Furthermore, directors must face union intentions of using the IEP to negotiate new contracts. The fiscal ramifications to the director and his school board would be large if the unions received all, or even some, of their demands for:

- salaried released time for regular and special education teachers to prepare IEPs;
- additional clerical personnel or classroom aides;
- fewer children per regular class, or limitations on the number of handicapped children in regular classes.

Morale

The directors' chief frustration is that all of the new services required by the legislation may not improve the quality of education. Although conceding that some districts are still not complying with the intent of the law, most directors feel that the existing structure reaches the majority of handicapped children and provides an appropriate education. Many believe the task of defining an M-Team/IEP format which doesn't overwhem their staff with paperwork, meets federal and state monitoring stipulations, and still serves the child may disrupt the system rather than improve it. A small number of directors went so far as to claim that IEP requirements are an affront to their professionalism and exhibit a lack of confidence in their interest in children. They stated they would develop IEP documents, but would

not be concerned about whether the staff used the documents or whether they represented the child's program.

Suggestions and Summary

It appears that most Wisconsin local directors have begun adopting their existing systems to ensure that handicapped children receive individualized instruction, although all are concerned that resolutions to problems concerning money, staff, and training will be difficult to achieve. Two local directors thought it was their responsibility to locate necessary funds beyond those provided by state and federal entitlements, but other directors were not optimistic that funds existed outside the district, or that they would have the time to look for them. If directors hope to perform all the in-service training they propose and develop and monitor IEPs as well, they will probably need more central office staff. But many directors were hopeful that they already have sufficient staff, or if not, have sufficient rapport with their board to petition for some personnel increases.

Federal, State, and Local Relationships

Practice under Chapter 115

Although not a constitutionally established right, precedent does give local governments primary responsibility for determining local educational programs. But as educational costs skyrocket, federal and state monetary assistance has become essential to the functioning of local programs. The increased reliance of local school districts on federal and state funding has blurred the separation between regulatory and programmatic responsibilities and has impeded state and local cooperation.

PL 94-142 and Wisconsin Chapter 115 rules are examples of this dilemma. They give local educational agencies funds to provide an equal education to handicapped children, but to prove the funds have been used in accordance with the legislation, state and local agencies must document the services they provide children. Thus, in Wisconsin, PL 94-142 may result in a marked increase in monitoring.

With the advent of Chapter 115, the State Department of Public Instruction, Division for Handicapped Children, received several new roles in regard to local school districts' special education programs. The Division

- assisted local districts in developing programs for EEN children;
- assisted districts in crises which arose in programming or due process situations;
- monitored local annual plans providing quantitative data on children served, classroom units, and the like;
- prepared rules to define provisions in Chapter 115, such as disability categories, screening and evaluation procedures, or hearing procedures.

Thus, state personnel initially worked in a consultative role with local districts in developing special education services.

Now that most local programs have been developed and are in operation, staff supervisors of the division play an ever increasing regulatory function, spending more of their time reviewing local annual plans than consulting on program development.* The quantitative annual plans are the division's only formal measure of local compliance, and

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* Special Committee on Education Program Review, Wisconsin Legislature, March, 1977.

staff concede it is difficult to determine whether local plans reflect actual practice.** Until this year, the state has never required local districts to submit qualitative data, such as the teachers' annual progress reports mandated by Chapter 115, nor has it asked that local educational agencies keep records on M-Team deliberations and plans. Therefore, local educational agencies have had much discretion abou what special education services they provide, although even with minimal reporting, they feel encumbered by state forms.

In light of previous state/local relations in Wisconsin, PL 94-142's requirement that the state account to the federal government for local delivery of service precipitates further confusion about regulatory and consultancy relationships.

Reactions to the IEP Requirements of PL 94-142

Respect for State and Local Autonomy

- Because the IEP requirement has appeared concurrently with new monitoring reqirements, many local respondents believe accountability is the main purpose of the IEP component of PL 94-142.
- Local districts fear state and federal monitoring may limit their right to determine educational programs and establish appropriate roles for local educators.

Implementation Constraints

- In light of their fiscal, staff, and time constraints, local and state educational agencies are concerned that monitoring will drain resources away from instruction and still not measure the quality of education services.

** Until August, 1977, no districts had been refused funds for noncompliance despite state supervisory staff concern that some local programs were deficient.

Standards

- Local educators would like the state to provide guidelines for the procedures necessary to implement the IEP component of PL 94-142, but generally do not want the state to standardize roles or IEP forms.

Respect for State and Local Autonomy

Accountability. Many local educators believe the IEP is synonymous with monitoring but not with better educational services. The IEP is viewed this way because it is the first instructional record local agencies must have available for state review. Additionally, parents claim they will use the IEP to monitor teacher performance. Most Wisconsin districts already have existing special education delivery structures and resent being asked to account for their willingness to educate the handicapped child.

These educators feel that monitoring implies a lack of trust in local capability by federal and state agencies and subsequently, local agencies have begun to assume an adverserial relationship with state and federal agencies. Such disturbances may affect the teachers' attitudes and, ultimately, the children's education if teachers, fearful of accountability and unconvinced that the main purpose of the IEP is to improve instruction, write IEPs which do not depict instruction.

The effect of federal regulatory legislation is to cause the SEA to develop a system to monitor local agencies and local agencies to develop a system to monitor staff. This presents a dilemma common to many programs and difficult to resolve, but it appears that the SEA may address this dilemma by:

- carefully reviewing proposed regulations to ensure that they address only those issues relevant to implementation;
- developing sensitivity to existing local structures and proposing changes which complement rather than disrupt existing systems, and
- providing more frequent communication between state and local educators to avoid misconceptions which may hinder successful implementation.

Monitoring Instruction. Another major concern of Wisconsin local educators is that state and federal agencies may intend to monitor the content of the IEP. Most local respondents believe the monitoring of the individual instructional program should rest with the district providing services to the child. As local directors of special education assert, program monitoring requires a knowledge of local conditions -- classroom structures, assessment procedures, classification standards -- which affect the teachers' development and implementation of an IEP. However, local administrators are not opposed to SEA monitoring, and in fact would like the state department to monitor and provide advice on system-wide programmatic goals and procedures. They view consultations on the total system as a valuable state department responsibility.

Local fears of state program monitoring may be unfounded since the Division for Handicapped Children may not have the funds or staff time to implement a monitoring system which reviews individual IEPs, let alone the total system impact of the IEP.

Implementation Constraints

The State Division is planning to develop a single checklist for the IEP process on which localities will indicate their procedural and program efforts, but local personnel are even wary of a short state form.

They believe it may reveal little about the quality of a system, take staff and resources away from instruction, will not guarantee compliance and, if a district chooses, will not reflect true programs. Many respondents indicated that some form of state monitoring is necessary because some districts are not providing children an appropriate education, but few respondents had suggestions for the best method to measure that noncompliance.

Local agencies react adversely to external monitoring because they may have to spend large amounts of time and funds testing appropriate data collection techniques. Local agencies feel the funds could be better spent on instruction or new services for children, and were skeptical that PL 94-142 would provide sufficient funds to ever satisfy the costs of increased reporting requirements.

Standards

Standardization is another major issue in Wisconsin. Respondents fear that the rush to implement and monitor an IEP process in order to receive federal funds may cause the production of rigid IEP forms. Local districts are torn: they want the state to help them implement the IEP process by providing guidelines on compliance procedures, but do not want the state to mandate standard roles or IEP content. Local educators want to be free to tailor IEP documents to the individual needs of each school, disability category, and child. Further, local agency personnel do not feel that standard written forms will account for the evolutionary process of the IEP, nor for the evolutionary nature of teaching. Standard state IEP forms may limit the creativity of a district with a working, well-functioning process. On the other hand, those same forms may be

considered by a district with an inadequate M-Team process as maximum rather than minimum standards. Thus, standard forms and roles could cause excellent programs to limit their efforts and merely comply with state requirements, yet allow less successful programs to ignore unique practices and only follow those defined by state. Local agency personnel also think state IEP forms would respond only to federal monitoring needs and therefore would not be useful for instruction and fiscal and resource planning. Local educators further assert that statewide forms will lead to mass processing of children through the use of standard objectives, check-list IEPs, and inflexible categories of services to be provided. One administrator claimed that standard forms would make teachers more product-oriented and concerned with the results of standard tests rather than individual observation of the child. The Wisconsin Forum Panel asserts that state standardization should only occur if there is cooperation among parents, districts, and the state.

Suggestions and Summary

Local concerns about total state-wide standardization seem to be based on a lack of communication between state and local agencies. The state department insists it never intended to require state-wide IEP forms from local distrticts (aside from the single page checklist), but local districts are anticipating further, informal administrative directives from the state department clarifying Chapter 115 and resulting in standard local roles and IEP documents.

In fact, the above concerns could be typical of a system faced with the enormous task of recording its practice for the first time. Standardization of any kind, state or local, could produce the undesired

effects listed above. Local agencies will probably have to strenuously review both their own documentation records and any the state produces to ensure the quality of their programs is recorded, yet unhampered by documentation.

If local and state agency personnel have an opportunity to personally communicate with each other about monitoring and standardization expectations, they may discover little discrepancy in opinion.

Conclusion

Project IEP attempted to document the diverse perceptions of parents, teachers, and administrators concerning the IEP requirements of PL 94-142. The focus and energy of the project was a grassroots sampling of those closest to and responsible for handicapped children and their education. The sampling was not purposive and may be perceived as limited in generalizability; however, this limitation should not detract from the salience and value of what was heard and said.

Those interviewed universally endorsed the concept of an individualized education program, but were cognizant of and concerned about contextual factors, which, if not present, may seriously jeopardize the provision of a free, appropriate public education, based upon an IEP, for each handicapped child. The many comments made suggest that the IEP mandate will require increases and shifts in resource allocations, modification in in-service and pre-service training, and commitments of parents, teachers, and administrators to share responsibility for improving the quality of education for the handicapped. These comments suggest that successful implementation of the IEP is tied as much to people and their attitudes as to organizational or administrative realignments.

If our attention is given to these issues in responding to the central mandate of PL 94-142, then time, effort, and experience should reflect the intent of the law and benefit each handicapped child.

SUMMARY OF FORUM PANEL RECOMMENDATIONS

Project IEP: Panel Members

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Summary of Wisconsin Panel Recommendations

Standardization

- The Panel was in unanimous agreement that forms should not be standardized at the state level.

- Panel members generally felt that standardization of procedures should be "minimal". The panel felt state standardization of "minimal" procedures will insure compliance with federal and state laws, rules, regulations, and guidelines. Local standardization of forms and roles will provide for the uniqueness of the individual school district and of the individual child.

- Thus, it was the consensus of the panel that state standardization should only include the cooperative development of a procedural model that will increase effectiveness and efficiency in the development of an IEP at the local level.

  Cooperative is defined as including the following:

  a. home-parents

  b. school-teacher/administration

  c. SEA

  A cooperatively developed model has the potential to:

  a. Allow for local autonomy

  b. Allow for accountability at all three levels (see above)

  c. Allow for the needs of the individual child

  d. Provide a facilitative role in IEP development

Training and Support

- In-service education in local school districts for special and regular staff on assessment skill training should be conducted and include:

  a. utilization of alternatives

  b. task analysis

  c. use of developmental IEP model

  d. recognizing different learning styles

  e. intervention strategies

- Parent education programs should be held on the rights and responsibilities of SEA, LEAs, parents and children, on the Chapter 115 laws of Wisconsin and their implementation in the local district.

- Existing in-service training of all professionals in terms, definitions, and general procedures of the IEP should be continued.

- Public education on terms, definitions, and general procedures of the IEP should be provided.

- Local special education advisory committees should be established. Members should include parents, social agencies, the community, special and regular education staff.

- The Department of Public Instruction should provide technical assistance and consultant services to local school districts in the development of the IEP process.

- A variety of models for using IEPs on a continuing improvement basis should be disseminated by the SEA.

- Federal financial support should be provided to assist Wisconsin in further exploring, modeling, evaluating, and disseminating the consideration elicited from this panel as a result of the Wisconsin IEP Clarification Forum.

- School building staff should be provided with the training, instructional environment, support, time, and tools to implement the IEP.

Additional Recommendations

- The IEP should be emphasized as a "working document" which is continually evaluated and amended as circumstances warrant, and, be legally defined as a "working document", not a binding contract or a final document.

- Bureau of Education for the Handicapped rules should assure district immunity fron legal actions.

- Home and community involvement should be emphasized.